

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Petitioner,

v.

ERIK SIGURDSON,

Respondent.

No.

PETITION TO ENFORCE INTERNAL
REVENUE SERVICE SUMMONS

The United States of America, on behalf of its agency, the Internal Revenue Service ("IRS"),
by the undersigned Assistant United States Attorney, aver to this Court as follows:

1. This is a proceeding brought pursuant to the provisions of Sections 7402(b) and 7604(a) of the Internal Revenue Code, 26 U.S.C. §§ 7402(b) and 7604(a), to judicially enforce an IRS summons.

2. Deborah Laughlin is a duly commissioned Revenue Officer employed in the Office of the Area Director, SB/SE Compliance, Internal Revenue Service, and is authorized to issue IRS summonses pursuant to the authority contained in 26 U.S.C. § 7602 and Treasury Regulation Section 301.7602-1, 26 C.F.R. § 301.7602-1.

PETITION TO ENFORCE IRS SUMMONS - 1

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101
(206) 553-7970

1 3. The respondent, Erik Sigurdson, resides at 3125 NW 20th Cir., Camas, Washington
2 98607, which is within the jurisdiction of this Court.

3 4. Revenue Officer Laughlin is conducting an investigation into the unpaid tax liabilities
4 of Courtsports Inc. with respect to the following:
5

- 6 • Form 1120 for fiscal periods ending May 31, 2008; June 30, 2009; and June 30, 2010;
- 7 • Form 940 for calendar periods ending December 31, 2008; December 31, 2009;
8 December 31, 2010; December 31, 2011; and December 31, 2012;
- 9 • Form 941 for the quarterly periods ending September 30, 2008; December 31, 2008;
10 March 31, 2009; June 30, 2009; September 30, 2009; December 31, 2009; December 31,
11 2010; March 31, 2011; June 30, 2011; September 30, 2011; December 31, 2011; March 31,
12 2012; June 30, 2012; September 30, 2012; December 31, 2012; March 31, 2013; and June 30,
13 2013; and
14 • Form CIVPEN for the calendar period ending December 31, 2009.

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16
17 See the Declaration of Revenue Officer Laughlin attached hereto and incorporated herein as

18 **Exhibit 1.**

19 5. The respondent is believed to be in possession and control of testimony, books,
20 records, papers, and other data which are relevant to the above-described investigation.
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22 6. On July 25, 2013, Revenue Officer Laughlin issued an IRS summons directing the
23 respondent to appear before Revenue Officer Laughlin on August 22, 2013, at 10:30 a.m., to testify
24 and to produce the books, records, and other documents demanded in the summons. The summons
25 is attached hereto and incorporated herein as **Exhibit 2.**
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27 7. On July 25, 2013, Revenue Officer Laughlin served copies of the summons on the
28 respondent by attaching it to the door of respondent's last and usual abode at 3125 NW 20th Cir.

1 Camas, Washington 98607. The Certificate of Service of Summons is attached hereto and
2 incorporated herein as **Exhibit 3**. See Declaration of Revenue Officer Laughlin, Exhibit 1.

3 8. On August 22, 2013, the respondent did not appear in response to the summons. See
4 Declaration of Revenue Officer Laughlin, Exhibit 1.
5

6 9. On August 30, 2013, the IRS Office of Chief Counsel sent the respondent a letter
7 requesting the respondent to appear before Revenue Officer Laughlin on September 10, 2013, at
8 9:00 a.m., to produce all books, records, and other documents demanded in the summons. A copy of
9 the letter is attached hereto and incorporated herein as **Exhibit 4**.
10

11 10. The respondent did not appear on September 10, 2013, in response to the “last
12 chance” letter sent by the IRS Office of Chief Counsel.

13 11. On September 20, 2013, the IRS Office of Chief Counsel sent the respondent another
14 letter advising him that if he did not appear and provide the requested information and records on
15 October 9, 2013, at 9:00 a.m., then the government may bring legal proceedings against him for his
16 failure to comply with the summons. A copy of the letter is attached hereto and incorporated herein
17 as **Exhibit 5**. The letter was sent to both respondent and respondent’s counsel. The certified letter
18 sent to respondent was return to petitioner’s counsel’s office as unclaimed on October 8, 2013. The
19 certified letter sent to respondent’s counsel was delivered on September 23, 2013.
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22 12. On September 25, 2013, respondent’s counsel sent Revenue Officer Laughlin a letter
23 indicating that respondent and respondent’s counsel would be unable to attend the scheduled
24 meeting on October 9, 2013. Respondent’s counsel stated in the letter that he had received records
25 from respondent’s bookkeeper that he would use to prepare Form 433B. To date, Revenue Officer
26 Laughlin has not received Form 433 B from respondent or on respondent’s behalf.
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28

1 13. On October 9, 2013, respondent failed to appear and to comply with the summons by
2 testifying and by producing the books, records, and other documents demanded in the summons.

3 14. On February 12, 2014, respondent filed with Revenue Officer Laughlin 941 returns
4 for Courtsports Inc. that extended through the fourth quarter of 2013. Respondent has not complied
5 with any other requirements of the summons.

6 15. With the exception of respondent's submitted 941 returns, the books, papers, records,
7 and other data sought by the summons are not already in the possession of the IRS. See the
8 Declaration of Revenue Officer Laughlin, Exhibit 1.

9 16. All administrative steps required by the Internal Revenue Code for the issuance of the
10 summons have been taken. See Declaration of Revenue Officer Laughlin, Exhibit 1.

11 17. It is necessary to obtain the testimony and examine the books, papers, records, and
12 other data sought by the summons in order to properly investigate the unpaid corporate and
13 employment tax liabilities of Courtsports Inc. with respect to the following:

- 14 • Form 1120 for fiscal periods ending May 31, 2008; June 30, 2009; and June 30, 2010;
- 15 • Form 940 for calendar periods ending December 31, 2008; December 31, 2009;
- 16 December 31, 2010; December 31, 2011; and December 31, 2012;
- 17 • Form 941 for the quarterly periods ending September 30, 2008; December 31, 2008;
- 18 March 31, 2009; June 30, 2009; September 30, 2009; December 31, 2009; December 31,
- 19 2010; March 31, 2011; June 30, 2011; September 30, 2011; December 31, 2011; March 31,
- 20 2012; June 30, 2012; September 30, 2012; December 31, 2012; March 31, 2013; and June 30,
- 21 2013; and
- 22 • Form CIVPEN for the calendar period ending December 31, 2009.

23 See Declaration of Revenue Officer Laughlin, Exhibit 1.

1 WHEREFORE, the United States of America respectfully prays:

2 1. That the Court issue an order directing the respondent to show cause, if any, why he
3 should not comply with and obey the aforementioned summons and each and every requirement
4 thereof.
5

6 2. That the Court enter an order directing the respondent to obey the aforementioned
7 summons and each and every requirement thereof by ordering the attendance, testimony, and
8 production of the books, papers, records, and other data as is required and called for by the terms of
9 the summons before Revenue Officer Laughlin, or any other proper agent, Revenue Officer, or
10 employee of the IRS, at such time and place as may be fixed by Revenue Officer Laughlin, or any
11 other proper agent, Revenue Officer, or employee of the IRS.
12

13 3. That the Court grant such other and further relief as is just and proper.
14

15 DATED this 3rd day of June, 2014.

16 Respectfully submitted,

17 JENNY A. DURKAN
18 United States Attorney

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